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\* Admitted in TX only  
\*\* Admitted in CT only

## Facsimile Cover Sheet

**To: Examiner Hoang M. Nguyen  
Company: Commissioner for Patents  
Location: Washington, D.C. 20231  
Phone: (703) 308-3477  
Fax: (703) 872-9302**

**From: David J. Rikkers  
Phone: (617) 227-7400  
Fax: (617) 742-4214**

**U.S. Serial No.: 10/030237  
Atty. Docket No.: HCM-019US**

**Date: October 6, 2003**

**Sent By:  
Pages including this  
cover page: 16**

### Message:

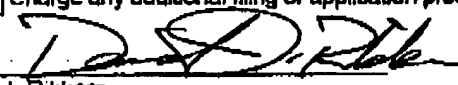
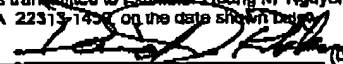
Transmitted herewith is an Amendment (9 pages), Transmittal (1 page, in duplicate), Fee Transmittal (1 page, in duplicate), and Petition for Extension of Time (1 page, in duplicate) in the above-identified application.

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<b>AMENDMENT TRANSMITTAL LETTER</b>				Docket No. HCM-019US	
Application No 10/030237-Conf. #5866		Filing Date May 23, 2002		Examiner Nguyen, Hoang M.	
				Art Unit 3748	
Applicant(s): John F Kemp					
Invention. APPARATUS FOR DERIVING ENERGY FROM WAVES					
<b>TO THE COMMISSIONER FOR PATENTS</b>					
Transmitted herewith is an Amendment (9 pages), Transmittal (1 page, in duplicate), Fee Transmittal (1 page, in duplicate), and Petition for Extension of Time (1 page, in duplicate) in the above-identified application.					
The fee has been calculated and is transmitted as shown below.					
<b>CLAIMS AS AMENDED</b>					
	Claims Remaining After Amendment	Highest Number Previously Paid	Number Extra Claims Present	Rate	
Total Claims	16	- 20 =		x	
Independent Claims	2	- 3 =		x	
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					
Other fee (please specify): Extension for response within first month					55.00
<b>TOTAL ADDITIONAL FEE FOR THIS AMENDMENT:</b>					<b>55.00</b>
<input type="checkbox"/> Large Entity <span style="float: right;"><input checked="" type="checkbox"/> Small Entity</span>					
<input type="checkbox"/> No additional fee is required for this amendment.					
<input checked="" type="checkbox"/> Please charge Deposit Account No. <u>12-0080</u> in the amount of \$ <u>55.00</u> A duplicate copy of this sheet is enclosed					
<input type="checkbox"/> A check in the amount of \$ _____ to cover the filing fee is enclosed.					
<input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.					
<input checked="" type="checkbox"/> The Director is hereby authorized to charge and credit Deposit Account No. <u>12-0080</u> as described below. A duplicate copy of this sheet is enclosed					
<input checked="" type="checkbox"/> Credit any overpayment					
<input checked="" type="checkbox"/> Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17.					
 David J. Rikkers Attorney Reg No. 43,882  LAHIVE & COCKFIELD, LLP 28 State Street Boston, Massachusetts 02109 (617) 227-7400				Dated: <u>October 6, 2003</u>	
I hereby certify that this correspondence is being facsimile transmitted to Examiner Hoang M. Nguyen at Facsimile No. 703-872-9302, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below. Dated October 6, 2003 Signature  (David J. Rikkers)					


Use in lieu of PTO/SB/n7 (08-03)  
(Form updated to reflect FY 2004 fees effective 10/1/03)

<b>FEE TRANSMITTAL for FY 2004</b>		<b>Complete if Known</b>	
<small>Effective 10/01/2003, Patent fees are subject to annual revision</small>		Application Number	10/030237-Conf. #5866
		Filing Date	May 23, 2002
		First Named Inventor	John F. Kemp
		Examiner Name	Nguyen, Hoang M
		Art Unit	3748
		Attorney Docket No	HCM-019US
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27			
TOTAL AMOUNT OF PAYMENT (\$)		55.00	

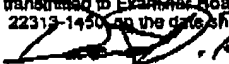
  

METHOD OF PAYMENT (check all that apply)		FEE CALCULATION (continued)																																																																																																																					
<input type="checkbox"/> Check <input type="checkbox"/> Credit Card <input type="checkbox"/> Money Order <input type="checkbox"/> Other <input type="checkbox"/> None		<b>3. ADDITIONAL FEES</b>  <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Large Entity Fee Code</th> <th>Small Entity Fee Code</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>1061</td><td>130</td><td>2051 65 Surcharge - late filing fee or claim</td><td></td></tr> <tr><td>1052</td><td>50</td><td>2052 25 Surcharge - late provisional filing fee or cover sheet</td><td></td></tr> <tr><td>1053</td><td>130</td><td>1063 130 Non-English specification</td><td></td></tr> <tr><td>1812</td><td>2,520</td><td>1812 2,520 For filing a request for ex parte reexamination</td><td></td></tr> <tr><td>1804</td><td>920*</td><td>1804 920* Requesting publication at SIR prior to Examiner action</td><td></td></tr> <tr><td>1805</td><td>1,840*</td><td>1805 1,840* Requesting publication at SIR after Examiner action</td><td></td></tr> <tr><td>1251</td><td>110</td><td>2251 65 Extension for reply within first month</td><td>55.00</td></tr> <tr><td>1252</td><td>420</td><td>2252 210 Extension for reply within second month</td><td></td></tr> <tr><td>1253</td><td>950</td><td>2253 475 Extension for reply within third month</td><td></td></tr> <tr><td>1254</td><td>1,480</td><td>2254 740 Extension for reply within fourth month</td><td></td></tr> <tr><td>1255</td><td>2,010</td><td>2255 1,005 Extension for reply within fifth month</td><td></td></tr> <tr><td>1401</td><td>330</td><td>2401 165 Notice of Appeal</td><td></td></tr> <tr><td>1402</td><td>330</td><td>2402 165 Filing a brief in support of an appeal</td><td></td></tr> <tr><td>1403</td><td>290</td><td>2403 145 Request for oral hearing</td><td></td></tr> <tr><td>1451</td><td>1,510</td><td>1451 1,510 Petition to institute a public use proceeding</td><td></td></tr> <tr><td>1452</td><td>110</td><td>2452 55 Petition to revive - unavoidable</td><td></td></tr> <tr><td>1453</td><td>1,330</td><td>2453 665 Petition to revive - unintentional</td><td></td></tr> <tr><td>1501</td><td>1,330</td><td>2501 665 Utility issue fee (if applicable)</td><td></td></tr> <tr><td>1502</td><td>480</td><td>2502 240 Design issue fee</td><td></td></tr> <tr><td>1503</td><td>640</td><td>2503 320 Plant issue fee</td><td></td></tr> <tr><td>1460</td><td>130</td><td>1460 130 Petitions to the Commissioner</td><td></td></tr> <tr><td>1807</td><td>50</td><td>1807 50 Processing fee under 37 CFR 1.17(i)</td><td></td></tr> <tr><td>1808</td><td>180</td><td>1808 180 Submission of information Disclosure Stmt</td><td></td></tr> <tr><td>8021</td><td>40</td><td>8021 40 Recording each patent assignment per property (times number of properties)</td><td></td></tr> <tr><td>1809</td><td>770</td><td>2809 385 Filing a submission after final rejection (37 CFR 1.129(a))</td><td></td></tr> <tr><td>1810</td><td>770</td><td>2810 385 For each additional invention to be examined (37 CFR 1.129(b))</td><td></td></tr> <tr><td>1801</td><td>770</td><td>2801 385 Request for Continued Examination (RCE)</td><td></td></tr> <tr><td>1802</td><td>900</td><td>1802 900 Request for expedited examination of a design application</td><td></td></tr> </tbody> </table>		Large Entity Fee Code	Small Entity Fee Code	Fee Description	Fee Paid	1061	130	2051 65 Surcharge - late filing fee or claim		1052	50	2052 25 Surcharge - late provisional filing fee or cover sheet		1053	130	1063 130 Non-English specification		1812	2,520	1812 2,520 For filing a request for ex parte reexamination		1804	920*	1804 920* Requesting publication at SIR prior to Examiner action		1805	1,840*	1805 1,840* Requesting publication at SIR after Examiner action		1251	110	2251 65 Extension for reply within first month	55.00	1252	420	2252 210 Extension for reply within second month		1253	950	2253 475 Extension for reply within third month		1254	1,480	2254 740 Extension for reply within fourth month		1255	2,010	2255 1,005 Extension for reply within fifth month		1401	330	2401 165 Notice of Appeal		1402	330	2402 165 Filing a brief in support of an appeal		1403	290	2403 145 Request for oral hearing		1451	1,510	1451 1,510 Petition to institute a public use proceeding		1452	110	2452 55 Petition to revive - unavoidable		1453	1,330	2453 665 Petition to revive - unintentional		1501	1,330	2501 665 Utility issue fee (if applicable)		1502	480	2502 240 Design issue fee		1503	640	2503 320 Plant issue fee		1460	130	1460 130 Petitions to the Commissioner		1807	50	1807 50 Processing fee under 37 CFR 1.17(i)		1808	180	1808 180 Submission of information Disclosure Stmt		8021	40	8021 40 Recording each patent assignment per property (times number of properties)		1809	770	2809 385 Filing a submission after final rejection (37 CFR 1.129(a))		1810	770	2810 385 For each additional invention to be examined (37 CFR 1.129(b))		1801	770	2801 385 Request for Continued Examination (RCE)		1802	900	1802 900 Request for expedited examination of a design application	
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The Director is authorized to: (check all that apply) <input checked="" type="checkbox"/> Charge fee(s) indicated below <input checked="" type="checkbox"/> Check any overpayments <input checked="" type="checkbox"/> Charge any additional fee(s) during the pendency of the application <input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.																																																																																																																							
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<b>2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE</b> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Total Claims</th> <th>Extra Claims</th> <th>Fee from above</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr> <td>Independent Claims</td> <td>40**</td> <td></td> <td></td> </tr> <tr> <td>Multiple Dependent</td> <td>5**</td> <td></td> <td></td> </tr> </tbody> </table>		Total Claims	Extra Claims	Fee from above	Fee Paid	Independent Claims	40**			Multiple Dependent	5**																																																																																																												
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SUBMITTED BY		(Complete if applicable)	
Name (Print/Type)	David J. Ridders	Registration No. (Attorney/Agent)	43,882
Signature		Telephone	(617) 227-7400
		Date	October 6, 2003

I hereby certify that this correspondence is being facsimile transmitted to Examiner Hoang M. Nguyen at Facsimile No. 703-872-9302, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.	
Date, October 6, 2003	Signature:  (David J. Ridders)